

DEFINITIONS

ABANDONED APPLICATION/NOTICE OF ABANDONMENT: An application for which the applicant has decided not to further prosecute the application. An official notice of abandonment is mailed 1 month after failure to respond to the office action including available extensions of time (total statutory period for response is 6 months).

ABSTRACT: A short narrative summary of the technical disclosure of a patent. An English-language abstract usually is attached to the front of a foreign patent .

ALIEN PROPERTY CUSTODIAN PUBLICATION (APC): An application vested in the Alien Property Custodian during World War II which was published in 1943 even though it did not become a patent. Such a document is identified by the words "Alien Property Custodian" and is considered to be non-patent literature.

APPLICATION FILE (File Wrapper): Colored legal-size folder containing official papers designated for that application. This file contains all documents relative to the examination/prosecution of the application..

Design application -- An application for an invention of a new, original and ornamental design for an article of manufacture. The last used file wrapper for a design application is lavender in color and the current serial number series begins with 29. Design applications filed on or after about 6/23/03 are in the IFW system and do not have file wrappers.

Utility application – An application for an invention for any new and useful improvement of a process, machine manufacture, or composition of matter. The file wrapper for a utility application is green for series 08, yellow for series 09, and beige for series 10. The series is the first two digits of the 8-digit application or serial number. Use of the 09 series began Jan 1998, and use of the 10 series began in December 2001. Series 11 will begin approximately November 2004 but series 10 will continue to be used for PCT 371 applications. Utility applications filed on or after about 6/23/03, with the exception of PCT 371, are in the IFW system and do not have file wrappers.

Provisional application – A written document which consists of a specification, drawings (if applicable) and the fee required by law. A provisional application is not examined and is considered abandoned 12 months after the filing date. The current file wrapper for a provisional application is blue and white and the serial number series currently begins with 60. Provisional applications filed on or after about 6/23/03 are in the IFW system and do not have file wrappers.

Reissue – An application for a patent to take the place of an unexpired patent that is defective in one or more particulars. The current file wrapper for a reissue application is white with orange stripes. A reissue application uses the same label type and serial number series as parent application. Reissue applications filed on or after about 6/23/03 are in the IFW system and do not have file wrappers.

Plant application – An application for a patent for the invention or discovery and asexual reproduction of any distinct and new variety of plant. A plant application uses the same file wrapper and serial number series as a utility application. Plant applications filed on or after about 6/23/03 are in the IFW system and do not have file wrappers.

ART UNIT: A division within a Tech Center. (See Tech Center.)

BIBLIOGRAPHIC DATA: Information related to a patent application that includes the inventor name, address, and citizenship; attorney's name, address, and phone number; assignee's name, address and phone number; title of the invention; and filing date. This data is entered into PALM PreExam and/or EXPO and is used in the mailing of office actions and printed on the face of issuing patents

CERTIFICATE OF CORRECTION (CofC): A certificate issued by the PTO as a result of a mistake in a patent. A printed copy of the certificate is attached to the patent copy(s) and is considered part of the original patent.

CLAIM (s): Statement(s) at the end of the specification of a patent application that particularly points out the distinctly claimed subject matter which the applicant regards as his/her invention.

CLASS: A major grouping of subject matter or functional categories designated by a numeric code and a title. There are over 460 classes, each of which is further divided into approximately 155,434 subclasses

CLASSIFICATION: (1) The science of systematically arranging the prior art documents (e.g., U.S. patents, foreign patents, and non-patent literature) into a system of numerical categories called classes and subclasses in such a manner as to facilitate the search for and retrieval of specific technical information disclosed in the prior art documents; (2) the class and subclass assigned to a document.

CONTRACTING OFFICER'S TECHNICAL REPRESENTATIVE (COTR): The individual within the PTO responsible for the technical aspects of the contract and technical liaison with the Contractor. The COTR also is responsible for the final inspection and acceptance of all the work required under the contract.

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COUNT MONDAY: Commonly used term which refers to the Monday following the end of a bi-week. "Count Monday" is the last day on which information can be entered into PALM to give an examiner credit for work performed during the previous bi-week.

CONTINUED PROSECUTION APPLICATION (CPA): A continuation is a second application for the same invention claimed in a prior non-provisional application and filed before the original application becomes abandoned or patented. The applicant in the continuation application must include at least one inventor named in the prior non-provisional application. A CPA does not receive a new application file or file number.

CYCLE TIME: The amount of time between the filing of an application and the disposal of the application when the processing time is charged to the PTO.

DEFENSIVE PUBLICATION: An abstract of a patent application published by the PTO and placed in the Search Files as prior art. The person holding the pending patent application must first file a written waiver of his/her rights to a patent and open the patent application to inspection by the public, thereby making the entire application part of the prior art. The intent of a Defensive Publication is to preclude anyone from subsequently patenting the subject matter of the application. These documents have been given a separate series of number preceded by "T;" e.g., T123, 456. Defensive Publications were replaced by SIR documents in 1986.

DESIGN APPLICATION: see Application File

DISPOSAL: Equivalent to an allowance, abandonment, examiner's answer, international preliminary examination report, SIR disposal after first action on merit, or interference when application is in condition for allowance except for interference. At the PTO office level, refers only to an allowance or abandonment.

ELECTRONIC DESKTOP APPLICATION NAVIGATOR (eDAN): The user interface primarily used by patent examiners to access image applications in the Image File Wrapper (IFW) system.

EXAMINER (Patent Examiner): An individual whose function is to examine U.S. patent applications to determine patent-ability based on a review of the prior art.

EXAMINING CORPS: That organization within the PTO, which is charged with the examination of patent applications. The Corps is organized into seven Technology Centers, each responsible for like technologies. Each Technology Center further divides into multiple Work Groups consisting of several Art Units. A Technology Center is managed by several Group Directors; each Art Unit is headed by a Supervisory Patent Examiner (SPE). Each Center also includes a Technical Support Staff (TSS) headed by Supervisory Legal Instrument Examiners (SLIE).

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EXAMINER SEARCH FILE (ESF): A complete paper set of the classified file of foreign patent documents and non-patent literature which is located in or contiguous to the patent examining groups. The ESF may also be referred to as the “Examiner Set.”

FLAT WORK: Commonly use term which refers to application-related documents which are submitted subsequent to the filing of an application.

FOREIGN PATENTS: Patents and published patent applications printed by foreign countries. Copies of these documents are located in the Examiner Search File only and are used as reference material by the patent examiners and the public. Most of the foreign language documents have an English-language abstract attached to them.

GOVERNMENT REPRESENTATIVE: An individual appointed by the Government to serve as a representative for the Government in the administration of the contract.

HOUSEKEEPING: Any physical maintenance of the facilities such as re-labeling racks, mini-expansions of search files, compressing files in central files, etc.

IMAGE FILE WRAPPER (IFW): The automated systems that capture, store, and maintain images of patent applications and related documents. The official patent application file is either the physical application file wrapper or the images in the IFW system. This designation is recorded and maintained in the PALM system. All US applications filed on or after about 6/23/03 are in the IFW system; the majority of pending applications filed before that date have been converted to electronic format and stored in the IFW system.

IN HOUSE: A term used to describe those functions or activities, which are performed within the PTO by Government employees.

INTERFERENCE FILE: Copies of prints, drawings, and/or claims from pending applications, which are maintained in classification order in file cabinets or other containers in the Tech Centers or other file areas. Prior to preparing an application for issue, an examiner reviews pertinent documents contained in the interference file.

INTERNATIONAL PATENT CLASSIFICATION (IPC): A subject matter classification system similar to that of the U.S. which is used by many foreign countries and sometimes used in the Examiner Search File for filing foreign patent documents.

MADRAS: The acronym for the user interface in the Image File Wrapper System.

MANUAL OF CLASSIFICATION (Class Manual): The document (paper or electronic) containing the classification schedules which list the number and descriptive titles of the more than 460 classes and 155,434 subclasses used in the subject classification of patents.

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MASTER CLASSIFICATION FILE (MCF): The automated data base which contains each U.S. patent number and its corresponding classification(s).

OATH: Statement that applicant believes himself/herself to be the original and first inventor for which he/she solicits a patent. A statement of citizenship also must be included in the oath.

OFFICE ACTION: Any official communication from the Patent Office to patent applicants or their representatives.

PATENT APPLICATION CAPTURE AND REVIEW SYSTEM (PACR): The PTO system used from 1998 to June 2003, to capture and store images of patent applications as filed and select follow-on documents. PACR was originally called the Patent Image Capture System (PICS) from 1998 to 2000. Nearly all PACR images were migrated to the Image File Wrapper (IFW) database in June 2003, when PACR was terminated.

PATENT APPLICATION LOCATING AND MONITORING (PALM): Automated system which maintains a record of each patent application (e.g., status, whether electronic or paper, examiner of record, etc.). PALM transactions (e.g., changing location, printing information) normally are performed by "wandering" (i.e., optically scanning) a bar code printed on an application file and/or keying in data. PALM is available using a PC connected to PTO's Network. PALM is comprised of two subsystems, Pre-Exam and EXPO. PALM Pre-Exam is primarily used in the pre-examination phase of prosecution and bibliographic data maintenance of applications. PALM EXPO is primarily used in the examination and publication phases of application prosecution.

PATENT APPLICATION SECURITY AND SERVICES (PASS): Automated system used to classify and security screen patent applications.

PAPER MATCHING: Taking incoming papers (faxes and mail), locating the related paper application files, placing the papers in the related application files and delivering them to the appropriate location for further processing. (Synonymous with file retrieval)

PATENT: A grant of certain rights to an individual inventor by the Government acting through the PTO. The subject matter of the patent is an invention. The right conferred by the patent grant is for a limited time period and allows the patent owner to exclude others from making, using, or selling the invention in this country. There are several types of patents:

DESIGN: Patents for ornamental designs which are issued under a separate series of numbers preceded by "D;" e.g., D140, 000.

PLANT: Patents for asexually reproduced varieties of plants which are issued under a separate series of numbers preceded by "PP;" e.g., PP13.

REISSUE: Patents, which correct errors in a previously granted parent patent. Reissue patents do not extend the period of patent coverage since they expire when the previously granted patent expires. Reissues are issued under a separate series of numbers preceded by "RE;" e.g., RE229, 106.

X-SERIES: These are the approximately 10,000 patents issued between 1790 and July 1836. They were not originally numbered but have been assigned numbers in the sequence in which they were issued.

UTILITY: The mechanical, electrical, and chemical patents granted since 1836. This series comprises the bulk of all U.S. patents. Utility patents are issued under a series of numbers now including seven digits; e.g., 6,517,367.

A.I. SERIES: Patents issued from 1838 to 1861 covering an inventor's improvement on his/her own patented device. These patents were given a separate series of numbers preceded by "A.I." to indicate Additional Improvement; e.g., A.I.113. Approximately 300 such patents were issued.

PATENT IMAGE CAPTURE SYSTEM (PICS): see Patent Application Capture and Review System (PACR).

PCT: Patent Cooperation Treaty. Also refers to an organization within the PTO.

PCT OPERATIONS WORKFLOW AND ELECTRONIC REVIEW (POWER) SYSTEM: The automated system which enables electronic processing of new international applications on the PC desktop.

PRIOR ART: The collection of U.S. patents, foreign patents, and non-patent literature, which constitutes the documents disclosing technical information, which are reviewed during the patent application examination process.

PROVISIONAL APPLICATION: see Application File.

PTO: An acronym, which refers to the Patent and Trademark Office, an agency within the Department of Commerce.

PTO-666 (Shoe Label): A PTO standard form which is used on each shoe in the Examiner Search File to identify the document type, class/subclass, and patent number range of patent documents filed within the shoe.

REEXAMINATION: An examination of a previously issued patent in view of prior art patents or printed publications which results in confirmation or cancellation of one or more patent claims.

REFERENCE COPY: Any document (e.g., foreign patent) that has been copied for mailing with an office action.

REISSUE APPLICATION: See Application File

RESPONSIVE PAPER: Any amendment filed by the applicant that changes the content of the application or any request by applicant for reconsideration of the examiner's position.

REVENUE ACCOUNTING and MANAGEMENT SYSTEM (RAM): Internal PTO system which provides the automated support and controls for processing all fees collected for products and services provided by the PTO. Along with other pertinent data, every fee collected by the PTO is entered into the RAM system.

SERIAL NUMBER: Sequential number assigned to each application by the PTO for identification purposes. See Application File..

SHOECASE/SHOE: A shoecase is an upright, doorless, cabinet holding removable storage drawers in which documents maintained in the Examiner Search File are kept. Shoecases typically come in two- or three-column widths and are composed of sections usually stacked three high. These removable drawers are called shoes, each of which can hold a few inches of prior art documents. Each shoe is individually labeled to indicate the classification and patent number range of documents contained within that shoe.

STATUTORY INVENTION REGISTRATION DOCUMENTS (SIR): SIR documents are published without the formal examination required for a utility patent. A SIR document is designated by a registration number preceded by the letter "H". These documents replaced Defensive Publications in 1986.

STAFF DAY: The unit of measurement used to determine the volume of work to be completed in 1 workday by 1 employee.

SUBCLASS: The smallest segment breakdown of the PTO's official numeric subject matter classification system.

SUPERVISORY LEGAL INSTRUMENT EXAMINER (SLIE): A support staff supervisor in a Patent Examining Group responsible for all activities and work output of the support staff within an Examining Group.

SUPERVISORY PATENT EXAMINER (SPE): A patent examiner assigned supervisory and training responsibility for an Art Unit of patent examiners. This individual is assigned responsibility for on-the-job training of new patent examiners and for monitoring the patent examination process and the productivity level of the Art Unit.

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TECHNOLOGY CENTER: See Examining Corp.

UTILITY APPLICATION: See Application File.

WORK GROUP: A group of approximately 4 to 9 Art Units headed by a Group Director.